



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 70 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/25/5411

Re: Property at Flat 1/1 69 Albert Avenue, Glasgow, G42 8RA (“the Property”)

Parties:

Mr Mohammed Ashraf Sajid, 8 Cheviot Road, Glasgow, G43 2AN (“the Applicant”)

Ms Asma Siddique, Flat 1/1 69 Albert Avenue, Glasgow, G42 8RA (“the Respondent”)

Tribunal Members:

Melanie Barbour (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that it would grant a payment order for EIGHTEEN THOUSAND ONE HUNDRED POUNDS (£18,100.00) STERLING together with interest at the rate of 4%.

Background

1. Two applications were made under Rule 111 and 109 of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 Rules”) seeking an order for payment and an order for recovery of possession under a private residential tenancy by the Applicant against the Respondent for the Property.
2. The applications contained: -

- a. the tenancy agreement,
 - b. the notice to leave with evidence of service
 - c. section 11 Notice with evidence of service
 - d. rent statement
 - e. emails to the tenant about rent arrears
3. A case management discussion took place on 18 February 2026. In attendance was the applicant's agent, Ms Saddiq from MM Legal and the landlord's brother-in-law, Mr Majid. Notice of the Case Management Discussion had been made by the sheriff officers. The respondent did not appear. The tribunal was prepared to proceed in their absence, given they had notice of the Case Management Discussion.

Discussion

4. The agent advised that she sought an eviction order under ground 12 - 3 months' rent arrears and an order for payment of £18,100 together with interest at 4%. There were at least 3 months' rent arrears as at the date of the notice to leave being served: at that date, the arrears were £4,650. The notice to leave was served on 10 January 2025, and it had expired on 10 February 2025. The current situation as of January 2026 was that arrears were £18,100, and they are now in February £20,600.
5. The tenant lives with her husband. There appear to be two children in the house, but it is not clear if they are the children of the tenant. The agent did not know their ages. The tenant alleges one child is autistic. The landlord could not confirm this. The tenant had shown payslips at the start of the tenancy, but they turned out to be falsified payslips. The tenant does not actually work. She is in the UK on a work permit. The landlord believes that the tenant and her husband do not have any right to remain in the UK. They cannot claim any benefits. Whenever the landlord goes to the property to do repairs or for other issues, the tenant is in the property. They

had served the section 11 notice and the notice to leave. They had submitted rent statements to support the application.

6. They have sent a number of WhatsApp messages and communications to the tenant. They have also written to the tenant about the rent. They issued a pre-action letter in December. There has been no contact made by the tenant and no payment arrangement entered into. When they have visited, the tenant will sometimes say that they will pay a lump sum, but this is only to buy them some more time. It is a delaying tactic as no payment is ever forthcoming. In addition, they have gone on holiday two times and left other people in the house without permission. They have also changed the locks.
7. The landlord has a mortgage on the property. They rent out three other properties, and this is the only means of income that they have. The rental is £1250 per month, and they have not received any money for the property.
8. The applicant sought a payment order for £18,100, and they also sought interest at 4 % in line with the Bank of England base rate.

Findings in Fact

9. The Tribunal found the following facts established: -
 10. There existed a private residential tenancy.
 11. The tenant was Asma Siddique.
 12. The landlord was Mohammed Ashraf Sajid.
 13. The property was 69 1/1 Albert Avenue, Glasgow.
 14. It had commenced on 11 March 2024.
 15. The tenancy stated that rent was £1250 a calendar month payable in advance.
 16. As of 11 December 2025, the arrears were £18,100.00.

17. The respondent had regularly failed to pay their rent and arrears. The arrears had been steadily accruing.
18. The respondent had failed to enter into a repayment arrangement with the landlord.

Reasons for Decision

19. Section 71 of the 2016 Act provides the Tribunal with the power to deal with civil matters arising out of private residential tenancies. Liability for failure to pay contractual rent is such a matter arising out of that contract.
20. The applicant's agent confirmed that they sought an order for payment. They had provided a copy of the tenancy agreement. The arrears were now £18,100. The rent statement was provided in support of the application. It showed how the arrears had accrued. There were no proposals to repay the arrears. The sum appeared due. They also sought interest on this sum at a rate of 4%. The tribunal was prepared to make an order for payment and to award interest on that sum at 4%.

Decision

21. The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that it would grant a payment order for EIGHTEEN THOUSAND ONE HUNDRED POUNDS (£18,100.00) STERLING together with interest at the rate of 4%.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

Melanie Barbour

2 March 2026

Legal Member/Chair

Date
